

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

JOSEPH EDWARD SLOAN, BRYON Z. MOLDO,
Chapter 7 Trustee - In Re JOSEPH EDWARD
SLOAN, Debtor,

Plaintiffs,

vs.

Civ. No. 00-702 BB/WWD ACE

STATE FARM MUTUAL AUTOMOBILE
INSURANCE COMPANY, a foreign corporation,
and RANDAL W. ROBERTS, ESQ.,

Defendants.

MEMORANDUM OPINION AND ORDER

This matter comes before the Court upon Defendant State Farm Mutual Automobile Insurance Company's ["State Farm's"] Motion to Compel filed January 9, 2001 [docket no. 44]. The motion seeks full and complete answers to interrogatories numbered 2, 3, 4, 5, 6, 8, 10, 11, and 12 from State Farm's first set of interrogatories. The only interrogatory to which an objection is made is 3c. That objection is not well taken and it is overruled. Plaintiffs' responses to interrogatories 6, 8, 10, 11, and 12 are not satisfactory because a general reference incorporating answers to "all prior Interrogatory answers" in response to a sub-part of a particular interrogatory is not helpful. Other answers to interrogatories by Plaintiff are clearly unsatisfactory; for example, 3a, 4a, and 5a. It is not unreasonable to ask that terminology used in the complaint be explicated. Interrogatories may be used at trial and this is facilitated if the answer is responsive to the question in such a way that it conveys the information sought, or the fact that the person

answering does not know the answer. For example, if the question is, “What color was the traffic light?”, it does not help to say “Look at all the other answers”, or “Turn to page 4 of the police report.”

Counsel should work with the client in preparing responses to interrogatories so as to avoid having to deal with motions necessitated by inadequate answers. This is particularly true with “contention interrogatories” since they are tied to the pleadings prepared by counsel. I will not attempt to examine each answer; however, I strongly encourage Plaintiffs’ counsel assist her client in preparing the answers keeping in mind clarity and responsiveness.

WHEREFORE,

IT IS ORDERED that on or before February 28, 2001, Plaintiff Joseph Sloan shall serve on Defendant State Farm full and complete answers to Interrogatories 2, 3, 4, 5, 6, 8, 10, 11, and 12 from Defendant State Farm’s first set of interrogatories.


UNITED STATES MAGISTRATE JUDGE